

**From:** Wayne Hedberg  
**To:** TMunson, MWright  
**Date:** 12/1/98 4:03pm  
**Subject:** Nephi Gypsum Non-compliance update - Phone Conversation w/Nephi Sandstone Corporation (Mr. Bruce Evans)

**PHONE MEMO TO MINE FILE: - Nephi Gypsum Quarry (M/023/011)**

On 11/30/98, I called Bruce Evans of Nephi Sandstone Corporation. This was a follow up call to him regarding a meeting he had scheduled with Robert Steele (Nephi Gypsum Quarry) early last week. The purpose of the meeting was to discuss the status of the Division's outstanding permitting concerns for the Nephi Gypsum Quarry as outlined in our August 18, 1998 letter.

Mr. Evans stated that Mr. Steele and Nephi Sandstone's major concern involves the @7 acres of adjacent private land owned by Nephi Sandstone Corporation. This property is presently being used to support the gypsum mining operation (product storage/stockpiling). The Division has requested that the current operators of record (Bob Steele and Tony Peck) revise their mine plan to include this adjacent disturbance and adjust the reclamation bond accordingly. Mr. Steele and Mr. Evans do not believe that this adjacent disturbance should be made part of the existing mine plan and bonded.

I again explained the Division's position to Mr. Evans why this area must be included as part of the existing mining and reclamation plan and why we could not grant his request for a post-mining land use variance at this time. I also stressed our desire not to pursue taking enforcement action against the mine operator unless we had no other choice. Mr. Evans asked what would be the "worst-case scenario" if we did take enforcement action. I explained that we could seek an injunction and/or order to temporarily shut down the operations until we could resolve the non-compliance issue.

I asked Mr. Evans if Nephi Sandstone had volunteered to take over as the formal operator of Nephi Gypsum Quarry and transfer the permit accordingly. He stated that the decision was basically left up to Mr. Steele and Mr. Peck to decide. Mr. Steele told Mr. Evans that he would contact Mr. Peck and see if he still had any interest in continuing to remain involved with the project and would get back to him. Mr. Steele also told Mr. Evans that he would be contacting the Division to discuss the permitting issues further.

Mr. Evans stated that he did not mention to Mr. Steele during the meeting that the Division had a pending enforcement action ready to send out. I told Mr. Evans that I would try one more time to reach Mr. Steele to discuss our outstanding concerns before we took other actions. He stated he would do the same and let me know if he was successful in reaching him.

**CC:** DMOquin, LBraxton